

REMARKS/ARGUMENTS

Claims 1-13 are pending in the application. New claim 13 is added. Claims 1, 5, 7, and 11 are the independent claims. Claims 1, 5, 7, and 11 are amended. Reexamination and reconsideration of the application, as amended, are respectfully requested.

INTERVIEW SUMMARY

A telephone interview was conducted with Examiner Huy Ho on July 29, 2008. Applicant thanks the courtesy extended by the Examiner in the interview.

In the interview, Applicant explained that claim 1 recited, inter alia, the determination section changes the criterion when the handoff section performs a predetermined repetition pattern of handoffs. Accordingly, claim 1 is amended to clarify the claim.

Regarding claim 5, the Examiner and Applicant discussed the features of time-average and number average.

The issue of claims 1 and 5 and other substantive issues are incorporated in the present response.

CLAIM REJECTION UNDER 35 U.S.C. § 103

Claims 1-4, 6-10, and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shi (U.S. Patent No. 6,320,855) in view of Andrus (U.S. Publication No. 2003/0203735); claims 5 and 11 stand rejected under the same over Shi in view of Petersson (U.S. Patent No. 7,016,320); Applicant respectfully traverses.

INDEPENDENT CLAIM 1

Independent claim 1 recites the following:

A wireless communication terminal comprising:
a measurement section that measures quality of a signal transmitted from a base station;
a determination section that determines whether or not handoff is to be performed based on a measurement result of the measurement section and a criterion of the determination of the handoff; and
a handoff section that performs the handoff based on a determination result of the determination section,
wherein the determination section changes the criterion of the determination of the handoff when the handoff section performs a predetermined repetition pattern of handoffs.

Shi and Andrus do not teach or suggest, "[T]he determination section changes the criterion of the determination of the handoff when the handoff section performs the handoff in a predetermined repetition pattern," as recited in independent claim 1.

Shi is directed to a method for deciding whether to initiate an idle handoff in a wireless communications system. Shi, however, does not teach or suggest the initiation depending on the wireless communication terminal performing a pattern of handoffs. Shi teaches a terminal obtaining samples at a first and a second time, of the pilot signals radiated by first and second base stations. A determination to initiate an idle handoff is based on a comparison of the total strengths of the second time samples and a position-weighting term with a design constant. (*See Shi Abstract*). Shi's method relies on determining signal strengths with a position-weight; Shi does not teach or suggest the terminal detecting a pattern of handoffs.

Andrus teaches a base station (access point in Andrus) having multiple channels. A mobile terminal (access terminal in Andrus) connects to the base station and is assigned one of the terminals. The mobile terminal stores the

assigned channel for the base station. In a subsequent connection to the base station, the mobile terminal checks the stored assigned channel and the default channel of the station for signal quality. According to Andrus, the feature of storing the previous connected channel and checking the stored channel in subsequent connection helps to reduce unnecessary handoffs (*Andrus paragraphs [0026] and [0027]*). Andrus also fails teach or suggest detecting “a predetermined repetition pattern of handoffs” recited in claim 1.

Moreover, Applicant incorporates the positions asserted in the response dated December 28, 2007.

Since the combination of Shi and Andrus fail to teach or suggest all the features of amended claim 1, the claim is allowable over the applied references.

Independent claim 7 recites similar features as claim 1 and is therefore also allowable over Shi and Andrus as per claim 1. The allowance of claims 1 and 7 is respectfully requested.

Claims 2-4, 6, 8-10, and 12 depend directly or indirectly from claims 1 and 7; those claims are also allowable based on their base claims. The allowance of claims 2-4, 6, 8-10, and 12 is thus also respectfully requested.

INDEPENDENT CLAIM 5

Amended independent claim 5 recites the following:

A wireless communication terminal comprising:
a measurement section that measures quality of a signal transmitted from a base station;
a determination section that determines whether or not handoff is to be performed based on a measurement result of the measurement section and a criterion of the determination of the handoff; and
a handoff section that performs the handoff based selectively on either one of a value obtained by time-averaging the measurement result of the measurement section for a predetermined period and a value obtained by number-averaging the measurement result of the

measurement section through a predetermined number of measurement.

Shi and Petersson do not teach or suggest “a handoff section that performs the handoff based selectively on either one of a value obtained by time-averaging the measurement result of the measurement section for a predetermined period and a value obtained by number-averaging the measurement result of the measurement section through a predetermined number of measurement” as recited in amend claim 5.

The Action acknowledges that Shi does not teach or suggest time-averaging and number averaging as recited in claim 5.

Petersson is directed to a mobile communication system having a time interval selection means. A network control means determines a time interval and sends an indication about this time interval to a subscriber station in a time interval indication signal. A time interval signal determining means in the subscriber station detects the time interval, and an IF measurement means carries out inter-frequency/inter-system measurements in the detected time interval specified by the network control means. (*Petersson Abstract*).

Petersson does not teach how the IF measurement means carries out inter-frequency/inter-system measurements in the detected time interval. Petersson at col. 6, lines 37-44 states “In condition 3 ‘pilot strength below a predetermined threshold’ the subscriber station MS must perform measurements for triggering IF measurements and thus for triggering a handover. These continuous measurements of the pilot signal strength may drastically reduce the lifetime of the battery of the subscribers station, since the subscriber station MS must perform an average filtering of the pilot channel during a predetermined measurement time.” However, Petersson does not teach whether the “average filtering” is a time-average

or number-average, let alone selecting one of the two options as recited in the claim 5.

In contrast, claim 5 recites a handoff section that performs the handoff based selectively on either one of a value obtained by time-averaging the measurement result of the measurement section for a predetermined period and a value obtained by number-averaging the measurement result of the measurement section through a predetermined number of measurement. For example, Fig. 3 of Applicant's specification teaches Step 204 selecting one of the two values. In Step 204, it is determined whether or not the current state is an intermittently-receiving state. If the current state is the intermittently-receiving state, the terminal proceeds to Steps 210-213, which perform the number-averaging. If the current state is not the intermittently-receiving state, the terminal proceeds to Steps 205-208, which perform the time-averaging. (*See the published specification 2006/0052104, par. 80 and 81*). Thus, in this embodiment, the terminal selects one of the time-averaging value and the number-averaging value based on whether an intermittently-receiving state is determined.

Since Petersson does not teach or suggest two different ways of measurement, Petersson cannot teach the features of a handoff section that performs the handoff based selectively on either one of the two measurement values.

Shi and Peterson fail to disclose all the features of claim 5 as amended; accordingly, claim 5 is allowable over the applied references.

Independent claim 11 recites similar features as claim 5 and is therefore also allowable over Shi and Petersson for at least the same reasons as claim 5. The allowance of claims 5 and 11 is respectfully requested.

Appl. No. 10/542,225
Amdt. Dated August 8, 2008
Reply to Office Action of April 8, 2008

Attorney Docket No. 81887.0128
Customer No. 26021

Claims 6 and 12 depend directly or indirectly from claims 5 and 11; those claims are also allowable based on their base claims. The allowance of claims 6 and 12 is thus also respectfully requested.

Moreover, new claim 13 recites the feature embodied in Step 204, and depends from claim 5 is allowable as per claim 5. Allowance of new claim 13 is respectfully requested.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

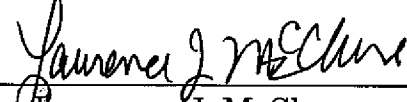
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 785-4600 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: August 8, 2008

By: _____


Lawrence J. McClure
Registration No. 44,228
Attorney for Applicant(s)

1999 Avenue of the Stars, Suite 1400
Los Angeles, California 90067
Phone: 310-785-4600
Fax: 310-785-4601